

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MARGARET MURR, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

CAPITAL ONE BANK (USA), N.A.,

Defendant.

Case No. 1:13-cv-1091 (LMB/TCB)

CAPITAL ONE'S MOTION FOR SUMMARY JUDGMENT

Defendant, Capital One Bank (USA), N.A. ("Capital One"), by counsel and pursuant to Fed. R. Civ. P. 56 and Local Civil Rule 56, moves this Court for the entry of an order granting summary judgment in its favor on the claims asserted against it in Plaintiff's Complaint. The grounds and authorities in support of this motion are set forth in the accompanying Memorandum in Support of Capital One's Motion for Summary Judgment and supporting exhibits.

WHEREFORE, Defendant, Capital One Bank (USA), N.A., respectfully requests that the Court grant its Motion for Summary Judgment, enter judgment in its favor and against Plaintiff, and award all other just and equitable relief.

Respectfully submitted,

CAPITAL ONE BANK (USA), N.A.

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CERTIFICATE OF SERVICE

I hereby certify that that on the 16th day of May, 2014, I filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a Notice of Electronic filing to the all registered CM/ECF users listed below:

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